

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:11-cv-00159-MR-DLH**

**KIMBERLY S. SISK, individually and
as mother and natural guardian of
S.A.S., a minor,**

Plaintiff,

vs.

**ABBOTT LABORATORIES, an
Illinois corporation,**

Defendant.

J U D G M E N T

THIS MATTER came on for trial and was heard by the undersigned judge, and a jury was duly empaneled and has answered the issues presented as follows:

1. Has the Plaintiff proved, by the greater weight of the evidence, either of the following:
 - (a) That the Defendant was negligent in its manufacture of the Similac Advance powdered infant formula at issue, which negligence proximately caused injury to the minor Plaintiff S.A.S.?

ANSWER: NO

- (b) That the Defendant was negligent in failing to provide an adequate warning or instruction with the Similac Advance powdered infant formula, which negligence proximately caused injury to the minor Plaintiff S.A.S.?

ANSWER: NO

2. What amount of damages, if any, is the minor Plaintiff S.A.S. entitled to recover from the Defendant?

ANSWER: N/A

3. What amount of damages, if any, is the Plaintiff Kimberly Sisk entitled to recover from the Defendant?

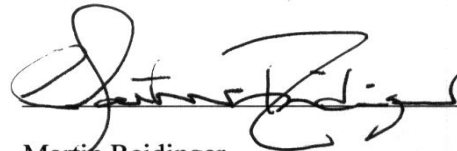
ANSWER: N/A

Based on the foregoing facts as found by the jury, the Court concludes as a matter of law that the Defendant Abbott Laboratories is not liable for the injuries to the minor Plaintiff S.A.S.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff shall recover nothing from the Defendant in the form of damages.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this action is hereby **DISMISSED WITH PREJUDICE** in its entirety, and the Defendant shall recover its costs of the action from the Plaintiff.

Signed: March 18, 2014


Martin Reidinger
United States District Judge

